



Atty. Dkt. No. 074066-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fahy

Title: Hypertonic Reduction of Chilling Injury

Appl. No.: 09/916,032

Filing Date: 07/26/2001

Examiner: Deborah K. Ware

Art Unit: 1651

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.	
EF237626399US	June 20, 2002
(Express Mail Label Number)	(Date of Deposit)
VICENTE M. BARAIRO	
(Printed Name)	
(Signature)	

AMENDMENT TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

JUL 3 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [X] Response to Office Action and Copy of Office Action dated 12/20/2001.
- [X] The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	27	—	20	=	7	x	\$18.00	=	\$126.00
Independents:	6	—	3	=	3	x	\$84.00	=	\$252.00
First presentation of any Multiple Dependent Claims: 0						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$378.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$920.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$920.00
CLAIMS AND EXTENSION FEE TOTAL:			\$1298.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$649.00
TOTAL FEE:			\$649.00

☒ A check in the amount of \$649.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By

Jay P. Hendrickson
Attorney for Applicant
Registration No. 37,147

Date: June 20, 2002

FOLEY & LARDNER

Customer Number: 25734

25734

25734

PATENT TRADEMARK OFFICE

Telephone: (415) 438-6454

Facsimile: (415) 434-4507



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6/a
DmT
7-8-02

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(Signature)	

RESPONSE TO OFFICE ACTION

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Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant submits the following response to the Office Action dated December 20, 2001.

Pursuant to 37 C.F.R. § 1.111, please amend the Application as follows:

IN THE SPECIFICATION¹:

Please amend the **specification** as follows:

1. Please delete the entire paragraph beginning on line 9 and continuing through line 12, on page 5 and replace with the following:

"A further embodiment is the use of hypertonic medium to reduce both cryoprotectant toxicity and chilling injury, wherein the hypertonic medium is added and removed in a manner that simulates the effects of both freezing and thawing. In a further embodiment the hypertonic medium prevents cooling injury at subzero temperatures."

05/20/2002 09:51:11 00000001-09916032

01 FC:202
02 FC:203
03 FC:217

126.00 03
63.00 03
460.00 03

¹ A version with markings to show the changes to the specification follows this Response.

05/20/2002 09:51:11 00000001-09916032
01 FC:202
02 FC:203
03 FC:217